



California Regional Water Quality Control Board

Lahontan Region

Internet Address: <http://www.swrcb.ca.gov/~rwqcb6>



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FACT SHEET (2/1/99)

UNDERGROUND STORAGE TANK (UST) PROGRAM **SITE CLOSURE PROCESS**

Introduction

The purpose of this Fact Sheet is to describe the site closure process used by the Regional Board for UST cases. Other portions of the region's UST Program are described in Fact Sheets accessible from the Internet site listed above or obtained by request from either office. Responsible Parties need to know early in the site investigation process what information is necessary to support a closure request.

Site Closure

If a responsible party (RP) believes an UST case is ready for closure, a **Closure Request Report** should be submitted, including a completed **Case Closure Summary Form** (enclosed). The report is to summarize site history, site geology and hydrogeology, chemical data over time, potential receptors, beneficial uses, existing conditions, and include rationale supporting site closure. The rationale must include a finding about future impacts on water quality and human health. If it is determined that ground water has not been impacted, evidence supporting this condition must be provided. The Case Closure Summary is to be completed and submitted along with the Closure Request Report by the RP or their designee.

Closure Request Report

The purpose for a Closure Request Report is two fold: 1) provide a document upon which the regulatory agency may make an informed and objective decision regarding the requested closure and, 2) provide the RP with the site closure parameters which will be reviewed by the regulatory agency.

CLOSURE DOCUMENTATION

The minimum information requested in the Closure Request Report is listed below.

1. Identify and state distance to lakes, streams, irrigation ditches, wetlands and/or production

wells for municipal, domestic, agriculture, industry and other uses within one mile (5280') of the site.

2. Site maps and cross sections, to scale, of impacted areas, locations of former and existing tank systems, elevation contours, gradients, and nearby surface waters, buildings, streets, and subsurface utilities.
3. Maximum and minimum ground water levels (below ground surface), including vertical separation distance from contamination.
4. Tabulated results of all sampling and analyses, including indication of sampling method and detection limits.
5. Vertical and lateral concentration contours on scaled maps and cross sections of contaminants found initially, and those remaining in soil and ground water, both on- and off-site.
6. Mass balance calculation of the substance treated versus that remaining.
7. Any and all remedial technologies used to clean the site, the duration of implementation, and the location of any disposed material.
8. Zone of influence calculated for the subsurface remediation system and the zone of capture attained for the soil and ground water remediation system.
9. Reasons why "Background" conditions were/are unattainable for soil and ground water (if applicable) and address the criteria outlined in State Board Resolution 92-49 and Title 23, Cal. Code of Regulations § 2550.4(d). This information may be termed a "water quality degradation analysis". Economic and technical evaluations are made along with an evaluation of the estimated cleanup time until water quality objectives are restored. Refer to State Board

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Order WQ 98-04 UST.

10. Rationale why conditions remaining at the site will not adversely impact water quality, human health, or other beneficial uses.
11. A list of all technical report submittals and letters used for characterization, remediation, and post remediation.
12. Information to assess fuel oxygenates, specifically methyl tertiary butyl ether (MTBE) as required in Health and Safety Code § 25299.37.1.
13. Information regarding all fee title holders of the property as required in Health and Safety Code § 25297.15 & 25299.37.

Case Closure Summary Form

In order to expedite the Board staff review of case closure requests, a completed **Case Closure Summary Form** should accompany the request. The form may be downloaded from the Board's Internet address or obtained from either Regional Board office. Board staff recommend that local regulatory agencies use this form, or a similar form, to document site conditions at closure.

Local Oversight Program (LOP) Agency Closure Notification

LOP agencies, under contract with the State Water Resources Control Board (State Board), must provide the Regional Board with notification regarding UST cases (both soil and groundwater) identified for closure. Kern and San Bernardino counties are LOP agencies in the Lahontan Region. Typically, the LOP agency submits to the Regional Board a **Case Closure Summary Form** with a 30-day response time. The LOP contract (between the State Board and LOP agency) indicates that the State Board will mediate disagreements between the LOP agency and Regional Board regarding case closure. Board staff review the LOP Closure Concurrence request and concur if appropriate. In cases of disagreement, attempts are made to resolve differences informally with the LOP within the 30-day time frame before issuing a formal non-concurrence.

Case Closure Letters

All regulatory agencies, including the Regional Board, are required to issue a standard Case Closure letter when closure is appropriate. That letter is described in Section 25299.37 of the Health and Safety Code. For consistency, all Case Closure letters issued by the Regional Board from both offices are signed by the Assistant Executive Officer. Copies of all case closure letters (Local Agency

Lead or Regional Board Lead) are sent to all title fee holders of the property, other interested parties, the Regional Board's Leaking Underground Storage Tank Information System (LUSTIS) Administrator, and the State Board UST program.

Closure Notification

Board staff publish a short narrative summary of closed UST cases in the Executive Officer's Report which is sent to Regional Board members, included in the Regional Board meeting agenda package, and put on the Board's Internet page. This notification meets the public participation requirements of Section 2728, Chapter 16, Title 23, CCR. All fee title holders of the affected property must have been notified of intended corrective actions or proposed site closure according to AB 681.

Case Closure Denial

Board staff will notify responsible parties in writing of cases where Case Closure was requested and is denied and provide the rationale for denial. Responsible parties are allowed to appeal for case closure directly to the State Board under SB 562. The State Board Cleanup Fund has published guidance on this process. Board staff may schedule cases to be heard by the Regional Board prior to consideration by the State Board.

Local Implementing Agencies (LIAs)

LIAs are not required to seek concurrence from the Regional Board for closing local agency lead cases. However, LIAs are encouraged to work with Board Staff as needed to evaluate case closure criteria. The case closure criteria used by LIAs must be consistent with the Lahontan Regional Board's Basin Plan.

ENCLOSURE: Case Closure Summary Form



